

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MESSIAH A. BEY,

Plaintiff,

-v-

I.B.E.W. LOCAL UNION #3; UNION  
REPRESENTATIVES AND TRUSTEES;  
CHRISTOPHER ERIKSON; JIM ROBSON;  
MICHAEL YEE; MACY'S DEPT. STORE; LEE  
CHISTOFORO,

Defendants.  
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: 05 Civ. 7910 (JSR)  
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: ORDER  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 3-26-08

JED S. RAKOFF, U.S.D.J.

On January 30, 2008, the Honorable Michael H. Dolinger, United States Magistrate Judge, issued a very thorough and well-reasoned Report and Recommendation in the above-captioned matter recommending 1) the dismissal of plaintiff's claims against defendants Christopher Erikson, Jim Robson, and Michael Yee; 2) the grant of summary judgment in favor of defendant I.B.E.W. Local Union #3 ("Local 3") on all of plaintiff's claims except his Title VII retaliation claim based on his lawsuit against his former employer Welsbach Electric Corporation; 3) the denial of plaintiff's apparent summary judgment motion; and 4) the denial of plaintiff's request for further time to depose defendants.

Subsequently, by letter dated February 10, 2008, plaintiff requested an additional 35 days to submit his objections to Judge Dolinger's Report. The Court granted that request, see Order, 2/14/08, and plaintiff duly submitted such objections. Defendant Local 3 submitted objections to certain portions of the Report and

Recommendation on February 23, 2008.<sup>1</sup> Accordingly, the Court has reviewed the motion and the underlying record de novo.

Having done so, the Court finds itself in complete agreement with Magistrate Judge Dolinger's Report and Recommendation and hereby adopts its reasoning by reference. Accordingly, the Court 1) dismisses plaintiff's claims against Erikson, Robson, and Yee; 2) grants summary judgment to Local 3 on all claims except for plaintiff's Title VII retaliation claim based on his lawsuit against Welsbach Electric Corporation; 3) denies plaintiff's summary judgment motion; and 4) denies plaintiff's request for additional time to depose defendants. The Magistrate Judge is directed to take any remaining steps necessary to make the remaining claim trial ready, including preparation of the Pre-Trial Consent Order.

SO ORDERED.

  
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JED S. RAKOFF, U.S.D.J.

Dated: New York, New York  
March 25, 2008

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<sup>1</sup>The objections of Local 3 were untimely and, unlike the pro se plaintiff, Local 3 failed to move for an extension of its time to object. Nevertheless, the Court has considered Local 3's objections, as they were submitted well within the additional time the Court had already granted to plaintiff for his objections.